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Notice of Allowability

Application No.

10/505,411

Examiner

Louis K. Huynh

Applicant(s)

RIMONDI, RENATO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final amendment received on 9/17/2007.
2. ☒ The allowed claim(s) is/are 1-5 and 7-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Stephen Weyer (Reg. No. on 43,259).
3. The application has been amended as follows:

In the specification:

- The phrase --This application is a U.S. national stage of International Application No. PCT/EP03/07120, filed 07/30/2003-- has been inserted below the title.
- The header "DESCRIPTION" on page 1 has been replaced with:
--BACKGROUND OF THE INVENTION--.
- The header --SUMMARY OF THE INVENTION-- has been inserted between lines 23 & 24 on page 1.
- The header --BRIEF DESCRIPTION OF THE DRAWINGS--has been inserted between lines 14 & 15 on page 3.
- The header --DETAILED DESCRIPTION OF THE DRAWINGS-- has been inserted between lines 2 & 3 on page 4.
- The Abstract has been replaced as follows:

--An apparatus for sealing longitudinal overlapping edges of tubular thermoplastic film. The apparatus comprises a fixed block (31) for guiding and holding the overlapping edges and a sealing head (6) spaced from the fixed block for directing jets of hot air onto the overlapping

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edges of the film guided on the fixed block. The sealing head (6) is movably mounted such that the sealing head is positioned a short distance from the film as the film is advancing and the sealing head is withdrawn from the film when the film is stop.--

In Claim 1:

The phrase: "or slightly different from the effective footprint of opposing block" (line 24) has been changed to: --an effective footprint of the guide means--.

In Claim 7:

"the slip" (line 5) has been changed to: --the slit--.

In Claim 11:

"rectangular slits" (line 4) has been changed to: --rectangular slit--.

In Claim 12:

"the generator sealing head" (line 18) has been changed to: --the sealing head--.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

- With respect to claim 1, applicant has incorporate the allowable subject matter of claim 6 into claim 1, and the prior art fails to disclose and/or teach an apparatus for sealing longitudinal overlapping edges of tubular thermoplastic film that comprises, among other things, a sealing head of an essentially rectangular shape and having beveled upper long side, wherein an upper face of the sealing head has a footprint essentially the same as or slightly different from an effective footprint of the guide means.

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- With respect to claim 12, applicant has rewritten claim 12 independent form including all of the limitations of the base claim 1, and the prior art fails to disclose and/or teach an apparatus for sealing longitudinal overlapping edges of tubular thermoplastic film that comprises, among other things, an air inlet with a pressure reducer, and an electrical terminal connecting the generator of hot compressed air to an electrical supply interface controlled by a processor, and wherein the control means comprises a programming and a control unit.
- With respect to claim 18, applicant has rewritten claim 18 independent form including all of the limitations of the base claim 1, and the prior art fails to disclose and/or teach an apparatus for sealing longitudinal overlapping edges of tubular thermoplastic film that comprises, among other things, a rectilinear actuator supporting the sealing head and mounted on a slide for adjusting the distance of the sealing head from the film to be sealed.
- With respect to claim 21, applicant has rewritten claim 21 independent form including all of the limitations of the base claim 1, and the prior art fails to disclose and/or teach an apparatus for sealing longitudinal overlapping edges of tubular thermoplastic film that comprises, among other things, gripping pincers (7 & 7') that alternate upstream and downstream of tubular packaging with product inside to form packaging with a prior stretching operation.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

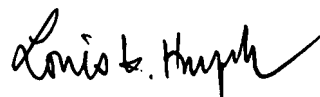
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is 571-272-4462. The examiner can normally be reached on M-F from 8:00AM to 3:00PM.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Louis K. Huynh
Primary Examiner
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September 25, 2007